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STATE OF CALIFORNIA

## **Fish and Game Commission**

June 1, 2005

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a copy of the Notice of Decision Not to Proceed with Regulatory Action relative to subsection (b)(178) of Section 7.50, Title 14, California Code of Regulations, relating to Silver King Creek Angling Regulations, which will appear in the California Regulatory Notice Register on June 3, 2005.

The Department had proposed to prohibit angling in a planned restoration portion of Silver King Creek between Llewellyn Falls and Snodgrass Creek. The Department had been scheduled to implement a Paiute cutthroat trout restoration project in Silver King Creek downstream of Llewellyn Falls to Snodgrass Creek that would eliminate nonnative trout and benefit native Paiute cutthroat trout. The proposed angling closure would have protected Paiute cutthroat trout and promoted rebuilding of the population. However, the restoration project requires approval of the Lahontan Regional Water Quality Control Board (LRWQCB) for the use of rotenone. That approval decision was expected during the early summer of 2004, for treatment in September 2004; however the LRWQCB delayed its consideration of the Department's request. The LRWQCB's decision is now expected in September 2005, which is past the effective period of the Commission's regulatory notice.

Sincerely,

Sherrie Koell  
Staff Services Analyst

Attachment

## **TITLE 14. Fish and Game Commission Notice of Decision Not to Proceed**

**PURSUANT TO GOVERNMENT CODE 11347, NOTICE IS HEREBY GIVEN** that the Fish and Game Commission, at the request of the Department of Fish and Game, decided not to proceed with the amendment of subsection (b)(178) of Section 7.50, Title 14, California Code of Regulations, regarding Silver King Creek Angling Regulations, Notice File Number Z-04-0511-03, which was published May 21, 2004 in California Notice Register 2004, No. 21-Z, pages 670-671.

FISH AND GAME COMMISSION

Robert R. Treanor  
Executive Director

Dated: May 18, 2005